

## DR. DOTY TESTIFIES.

Legislative Investigation Goes On at the Murray Hill.

Change Suggested in Control of the Quarantine Islands.

Inspector Clinchy Tells About Those Gas Meters.

The Special Legislative Committee, of which Senator Higgins is Chairman, continued its session at the Murray Hill Hotel this morning.

In addition to Senator Higgins there were present Senators Smelser and Kilburn and Assemblyman Horne.

The first witness examined was Dr. Doty, Health Officer of the Port. He explained the workings of his office, and was then asked what legislation he could suggest that would be of advantage.

"Nothing," he said, "except possibly some measure placing the employment of Smith and Hoffman islands under direct control of the Health Commission. They are now subject to the directions of the Quarantine Commission only, but have really nothing to do with the care of patients sent there by us, so they should naturally be under our direction."

Gas Inspector Anthony Clinchy was then called to the stand. He explained that he examined the gas meters made by the American Meter Company, and cost him four cents apiece.

Are not your customers on meters before those meters are examined by you? A. Never. Does not the American Meter Company place its own seal on meters before you examine them? A. Well, yes, for the purpose of facilitating matters, but I always examine them.

And you never find a meter in Philadelphia? A. That is impossible. Do you investigate every meter that is introduced? A. Oh, no, I just examine one in every ten or so.

Senator Higgins then asked Mr. Clinchy the following question: Have you ever received any money or any other consideration for examining meters?

Senator Higgins then asked Clinchy if he had prepared any report with regard to the workings of his office, for which he had been asked.

"Why didn't Congressman Sulzer give that to you?" inquired Mr. Clinchy.

Senator Higgins looked disgusted, and directed Clinchy to answer the statement to Albany before Wednesday.

"And if by registered letter," he said, "if you don't like to have the Committee right in the matter."

The Committee then sent the Sergeant-at-Arms for Mr. Miltard, President of the American Gas Meter Company, but he could not be found.

After a long wait the Committee adjourned sine die.

## SWEAT SHOP SYSTEM.

Inspector Francy Testifies Before the Assembly Committee.

The Reinhard Committee of the Assembly, appointed to investigate the sweating system in this city and to look into and improve the condition of factory and store girls, began its first session this morning in the Aldermanic chamber of the City Hall.

Inspector Francy was the first witness.

Mrs. Mary Oppenheimer and Mrs. Margaret Plun were present as witnesses.

Counselor Julius Mayer, for the Committee, examined Mr. Francy upon the subject of the sweating system, and the Committee then adjourned.

"There are probably 5,000 employees in this sweating system, and 10,000 employees in the garment industry, being non-citizens," replied the inspector to interrogations.

Mr. Francy thought that the Factory Inspectors were capable of visiting all the sweat shops.

The matter of the employment of under-aged children and women in these shops, said the factory inspector, "is not clearly understood by the public generally. The public is really misled. We employ very few children and women employed in the sweat shops will not exceed 10 per cent of the total."

The danger of spreading some horrible disease among the people in sweat shops, went on to say, "is not one of the important reasons why the sweat shops should be exterminated. The danger is that the people who are employed in the sweat shops will become contaminated and infected with a loathsome contagious malarial disease."

"That these malarial diseases become contagious is a well-known fact. The malarial disease is spread by the mosquito, and the malarial disease is spread by the mosquito."

The Committee adjourned the hearing till next Saturday at 11 A. M., in Part III, of the Superior Court.

## THOSE S'ING SING LOCKS.

Prisoners Committee Investigating the Contract.

Sensors Kilburn and Raines and Assemblyman Cutler, of the Joint Committee on Prisons, are in the city today investigating a contract for putting new locks on the cells at Sing Sing Prison, which was given out in July, 1894.

The contract was given by Superintendent of State Prison, Lathrop, to John Delahanty, a brother-in-law of United States Senator, and the son of ex-Superintendent of the State Prison, Delahanty.

The amount paid for putting on 600 locks was \$14,700. Senator Kilburn said this morning that the amount was remarkably large, and that the contract was a very bad one.

East Thirty-seventh street, for \$2,575. The State locks were furnished by another firm, and what they cost Mr. Delahanty.

"We are informed that they are worth about 10 cents, making \$6,000 for the locks. This is a very large sum of money, and it seems to have been Delahanty's only object, which would leave him a very good profit."

"Of course, the contract was given in a legitimate manner, and we are investigating it. It is a very large sum of money, and it seems to have been Delahanty's only object, which would leave him a very good profit."

MRS. MURPHY ALL RIGHT.

She Did Not Write the Note to Judge Gleicher.

David N. Carvalho, the expert on handwriting, has submitted a report to Judge Gleicher, in the Court of Common Pleas, that in his opinion Mrs. Agnes K. Murphy-Mulligan did not write the letter offering to pay the Judge for a favorable decision in the case which she brought against Carlock Cook & Son.

In addition to offering to pay for a decision the writer referred to a favor in the hands of the Judge, and that the writer sent it. The letter was written by Mrs. Murphy-Mulligan.

## INCOME TAX SUSTAINED.

(Continued from First Page.)

that its provisions are not uniform throughout the United States and do not operate with the same force and effect upon the subject of the tax wherever found, and in that it provides exemptions in favor of income derived from partnerships while denying all exemptions to corporations having similar income derived from like property and values, and provides for other exemptions and inequalities in violation of section 8 of article I of the Constitution.

That the act provides no exemption of the tax upon income derived from the stocks and bonds of States of the United States and counties and municipalities therein, stocks and bonds are not proper subjects for the taxing power of Congress. The income from these securities in the United States amounts to over \$20,000,000 per annum, on which the total annual income tax would be \$2,000,000.

He then took up the constitutional points involved, dwelling upon the fact that the Constitution required the apportionment of direct taxes and uniformity in taxes and imports.

He also dwelt upon the question of representation and taxation, which was, he said, a foremost one when the Constitution was adopted.

He then took up the question of the tax upon rents, and in so doing discussed at considerable length the question of direct taxes as considered at the time of the framing of the Constitution.

One of the framers of the Constitution was, he said, well versed in the forms of government of the colonies and of the European countries and were well versed in the literature of the period, including works on political economy, and were calculated to pass intelligently on this question.

He quoted various Supreme Court decisions and sought to show that while the question had been before the Court the question had only been considered as applying to question at issue in the particular case.

Coming down to the present Tariff act, he said that the law was passed in a time of profound peace, and it was to be taken as evidence that Congress had sought in this matter to form a precedent and for a departure from established laws, and it therefore became important to inquire into the circumstances with some attention to detail, and for the purpose of comparison he went back to the enactment of an income tax during the civil war.

He quoted from the decision in the *Springer* case, giving a history of the case and devoting much attention to it, as he said it was upon this case that the defense had recently relied more generally than upon any other precedent.

It is, he said, conceded in all the cases from *Hylton* to *Springer* that taxes on land are direct taxes, while in some of them it is determined that taxes on rents derived from lands are indirect taxes.

What, in other words, was the land, the profit of the tax is unimportant, and the Court has been unable to see any distinction.

He closed this part of the opinion by saying that the Court had reached the conclusion that the tax was unconstitutional. The Chief Justice then took up the question of the taxation of municipal bonds.

On the point raised as to the taxation of incomes derived from State, county and municipal bonds, his argument was less exhaustive, but rested on the contention that such a tax tended to hamper and restrict essential factors of the nation in their power to raise revenue and funds for the welfare of the community as a whole. Such a tax was therefore opposed to the spirit of the Constitution.

Finally the Chief Justice stated that on the two points referred to a majority of the Court had declared the law unconstitutional, but that on the general question of the law the Court was evenly divided, thus affirming the action of the lower Court.

Justice Field then followed in an opinion in which he stated his reasons for holding the whole law unconstitutional.

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## THE FEDERAL POWER OF THE TAXATION, SAVE ON EXPORTS, WAS UNLIMITED. IN ONLY ONE CASE HAS IT BEEN LIMITED.

In the case of direct taxes it is to be apportioned among the States in proportion to population.

The only direct taxes have been repeatedly declared to be capitation taxes and taxes on land, as such the tax on carriages was decided to be not a direct tax. Then how can it be held that a tax on rents is a direct tax?

All wealth springs from land at its inception, if the genesis of wealth is a direct tax it will all come back to land and labor. If then a tax on rents is a direct tax, the tax on land is a direct tax.

The attempt here made to defeat the law is an endeavor to do by indirection what cannot be done by direct taxation. Madison once declared that a certain law and the resulting opinion of the Supreme Court were both in violation of the Constitution, but so it has been declared on every great decision made by this Court since the foundation of the government.

Justice Harlan followed in a brief opinion, taking practically the same ground as Justice White.

Justice White, in a dissenting opinion, took the ground that the tax on rents was a direct tax, and that it was unconstitutional.

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## IT MAKES PEOPLE WELL!

Paine's Celery Compound Is as Superior to the Ordinary Spring Medicine as the Diamond is Better than Cheap Glass.

When women become invalids, homes, children, friends, all must suffer.

With an impaired nervous system pure blood is impossible; health is impossible.

Why not be well? Women and men all over the country whose strength and vitality have been brought down during the winter months are now taking Paine's Celery Compound, because their physicians order it, or because they have learned from other equally trustworthy sources that it is the best of building up the strength, reinvigorating the nerves, purifying the blood and making people well.

Paine's Celery Compound continues week after week and year after year to cure the most difficult cases of nervous weakness and of a host of health complaints arising from impure blood. Paine's Celery Compound is an invigorant, healthful and healthy, and it is the best of building up the strength, reinvigorating the nerves, purifying the blood and making people well.

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